

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Revocation	)	
	)	
or Suspension of the Educators	)	<b>ORDER OF SUSPENSION</b>
	)	<b>(BREACH OF CONTRACT)</b>
Certificate of Sherry A. Isgett	)	
	)	
Certificate # 194323	)	

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on April 8, 2003. On February 28, 2003, the State Department of Education (Department) sent Ms. Sherry Isgett a notice of her right to a due process hearing regarding the possible suspension of her South Carolina educators certificate (certificate) by certified mail, return receipt requested, delivery restricted to addressee. Ms. Isgett received the notice, as evidenced by the signed postal receipt. Ms. Isgett did not request a hearing during the period allowed by law, and is now in default. After considering the evidence presented, which was undisputed by Ms. Isgett, the State Board voted to suspend Ms. Isgett's certificate for one year.

**FINDINGS OF FACT**

Ms. Isgett holds a valid certificate, and has over three years of teaching experience. She was under contract with the Darlington County School District (District) for the 2002-2003 school year, as a teacher at West Hartsville Elementary School. Ms. Isgett wrote a letter of resignation on January 29, 2003, but did not comply with District policies and procedures on resignation that require thirty days written notice to the District Superintendent and approval by the District Board. She did not return to the classroom. After receiving her resignation request, the District informed Ms. Isgett that she had not complied with District policy and that she would be considered in breach of

her contract if she did not return to the classroom while her request was under consideration. On February 10, 2003, the District Board approved her resignation pending the employment of a suitable replacement. On that date, the District Board also voted to request that the State Board take action on her certificate, because it determined that Ms. Isgett's failure to follow proper procedures constituted a deliberate breach of contract. A replacement was employed on February 24, 2003.

### **CONCLUSIONS OF LAW**

The State Board may suspend the certificate of any person for breach of contract. S.C. Code Ann. § 59-25-530 (1990). Unprofessional conduct includes breach of contract. S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is conclusive evidence supporting its decision to suspend Ms. Isgett's certificate # 213203 for a period of one year from April 8, 2003 through April 7, 2004, on the ground of unprofessional conduct due to breach of contract. At the end of the suspension period if she wants her certificate reinstated, Ms. Isgett may make a written request for reinstatement to the Office of Teacher Education and Certification of the Department.

South Carolina State Board of Education

By: /S/ Greg Killian  
Greg Killian  
Chair

Columbia, South Carolina  
April 8, 2003